



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,332	07/14/2003	Chuanxiong Guo	MS1-2713US	6663

22801 7590 06/03/2008  
LEE & HAYES PLLC  
421 W RIVERSIDE AVENUE SUITE 500  
SPOKANE, WA 99201

EXAMINER
----------

BAROT, BHARAT

ART UNIT	PAPER NUMBER
----------	--------------

2155

MAIL DATE	DELIVERY MODE
-----------	---------------

06/03/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/619,332	<b>Applicant(s)</b> GUO ET AL.	
	<b>Examiner</b> Bharat N. Barot	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**RESPONSE TO REQUEST FOR CONTINUED EXAMINATION (RCE)**

1. Claims 1-24 are pending and remain for further examination.

**The new grounds of rejection**

2. Applicants' arguments and amendments with respect to claims 1-24 and request for continued examination (RCE) filed on April 29, 2008 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

**Claim Objections**

3. Claims 1 and 9 are objected to because of the following informalities:  
Claims 1 and 9 line 2 contain "the computerized readable medium" should be --the computer readable medium--. Appropriate corrections are required.

**Claim Rejections - 35 USC § 101**

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-16 are rejected under 35 U.S.C. 101 because the claimed-invention of the claims 1-16 are directed to the non-statutory subject matter. Claims 1 and 9 recite a computer readable medium on tangible data storage, the computerized readable medium having thereon computer executable instructions for performing a method. A computer program (instructions) is not claimed as tangibly embodied in computer readable medium and execute in a computer or by a computer is descriptive material per se and are not statutory because they are not capable of causing functional change in the computer and lacking assured results, and therefore is not concrete.

Other dependent claims, which are not specifically cited above are also rejected because of the deficiencies of their respective parent claims.

**Claim Rejections - 35 USC § 103(a)**

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bracho et al (U.S. Patent No. 6,021,443) in view of Huang et al (U.S. Patent No. 7,379,970).

8. As to claim 1, Bracho et al teach a method (see abstract; figures 1, 5, 10, and 12; and column 4 line 34 to column 5 line 62) comprising: receiving at least one event subscription from at least event subscriber; receiving at least one event publication from at least one event publisher; and for each event publication matching a event subscription, notifying the event subscriber of the matching published event (figures 5, 10, and 12; column 10 lines 47-61; column 12 line 45 to column 13 line 44; and column 15 lines 1-42). Event is well known and inherent in the art at the time the invention was made as a network attachment point change event (figure 10; and column 12 lines 45-55).

However, Bracho et al do not explicitly teach that the network attachment point change events comprising an indication of a change in a network address of a device on a network.

Huang et al explicitly teach that the network attachment point change events comprising an indication of a change in a network address of a device on a network (see abstract; figures 1-2; column 7 lines 45-63; and column 16 lines 48-54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Huang et al stated above in the method of Bracho et al because it would have provided much faster and more efficient way handling multiple instance of events and avoiding duplication of work in a distributed network environment.

Art Unit: 2155

9. As to claims 2-3, Bracho et al teach that each event publication comprises: identification of an original network attachment point; and identification of a current network attachment point different from the original network attachment point (figures 5-7; and column 10 line 18 to column 12 line 39). Identification of a network attachment point is well known and inherent in the art at the time the invention was made as an Internet protocol (IP) address (column 5 lines 9-12).

10. As to claim 4, Bracho et al teach that each event subscription comprises identification of a network attachment point that has attached a communications peer with which the event subscriber has at least one active communication connection (figure 1; and column 5 lines 35-51).

11. As to claim 5, Bracho et al teach that the at least one event publication comprises: a first event publication from a first event publisher; a second event publication from a second event publisher; and matching the first event to each event subscription comprises: determining that the event subscription was placed by the second event publisher; and determining that the second event occurred within a time interval of the first event (figures 7-9 and 12; and column 14 line 21 to column 15 line 64).

12. As to claims 6-7, Bracho et al teach that matching the event to the event subscription comprises determining that the event subscription was placed by a subscriber with a private network address (reference teaches that subscriber within same hub with publisher); and for each event subscriber, determining if the event subscriber has a private network address (reference teaches that subscriber not within same hub with publisher; therefore, subscriber has a private network address) (figures 1 and 7-8; and column 4 line 34 to column 5 line 62).

13. As to claim 8, Bracho et al teach that each event subscription comprises a event subscriber notification address (ID); and determining if the event subscriber has a private network address (reference teaches that subscriber not within same hub with publisher; therefore, subscriber has a private network address) comprises determining if the event subscriber notification address is in accord with the public source of the event subscription (reference teaches that subscriber within same hub with publisher) (figures 1, 7-8, and 11-12; column 4 line 34 to column 5 line 62; and column 13 line 58 to column 15 line 64).

14. As to claims 9-24, they are also rejected for the same reasons set forth to rejecting claims 1-8 above, since claims 9-16 do not teach or define any new limitations above claims 1-8 and claims 17-24 are merely an apparatus for performing the method of operations defined in the claims 1-8.

**Response to Arguments**

15. Applicant's arguments have been fully considered. The examiner has attempted to answer (response) to the remarks (arguments) in the body of the Office action.

**Contact Information**

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

/Bharat N Barot/

Primary Examiner, Art Unit 2155

May 19, 2008